

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0571/P1dn
BAB:kjf:rs

November 10, 2006

ATTN: Darcy Paulson

The attached draft has been prepared in preliminary form. Please review the draft carefully to ensure that it is consistent with your intent.

Your request specified that the penalties for disobeying a school crossing guard be increased to match those for illegally passing a school bus. However, under ss. 346.46 (2m), 346.465, and 346.49 (1) (b), there are three different classes of individuals who could be held liable for disobeying a crossing guard: the driver of a motor vehicle, a person on a bicycle, and the owner of the motor vehicle that is involved with disobeying a crossing guard. I have drafted this bill to provide the increased penalties only for motor vehicle drivers who disobey crossing guards, rather than bicyclists or owners of cars that are being driven by other persons, in order to avoid heavier penalties for those who are less at risk of causing serious accidents at school crossings or who may have no personal culpability. Is that acceptable?

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